

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | No. CR-08-182-EFS |
| Plaintiff, |) | CR-09-056-EFS |
| |) | |
| v. |) | ORDER GRANTING DEFENDANT'S |
| |) | MOTION TO MODIFY |
| MARCUS CHARLES BREYMIER, |) | |
| |) | |
| Defendant. |) | |
| |) | |

BEFORE THE COURT is Defendant's Motion to Modify the conditions of pretrial release. Defendant wishes to replace the condition of electronic home monitoring with the condition of a curfew between the hours of 10:00 p.m. and 7:00 a.m. Defendant originally was released on conditions of pretrial release, including the condition of a surety bond. Due to his family's financial circumstances, Defendant could not afford a surety bond and moved the court to modify this condition to allow for electronic home monitoring, which was granted.

Defense counsel reports that Defendant has been working in exchange for room and board at the home of a friend. Because of his rural location, it is difficult for him to find additional employment while on electronic home monitoring. Additionally, Defendant has demonstrated that he is not a flight risk and not a danger to the community. Defendant entered a plea of guilty to the Indictment in this case, as well as a plea of guilty to an

1 Information Superseding Indictment. United States Probation does
2 not object to the modification of conditions of release; the
3 government has not filed a response and takes no position on
4 Defendant's Motion.

5 The court finds that good cause exists to grant the Defendant's
6 Motion.

7 **IT IS ORDERED** that Defendant's Motion (**Ct. Rec. 45, No. CR-08-**
8 **182-EFS; Ct. Rec. 11, No. CR-09-056-EFS**) is **GRANTED**. Defendant no
9 longer shall be subject to electronic monitoring, and instead, shall
10 be subject to a daily curfew from **10:00 p.m. to 7:00 a.m.** All other
11 conditions of supervised release are to remain in effect.

12 DATED May 13, 2009.

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14 S/ CYNTHIA IMBROGNO
15 UNITED STATES MAGISTRATE JUDGE
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